

A bill for an act

relating to employment; providing that certain joint powers agreements may not circumvent or impinge upon the rights of employees covered by certain collective bargaining agreements; amending Minnesota Statutes 2008, section 471.59, subdivision 10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 471.59, subdivision 10, is amended to read:

Subd. 10. **Services performed by governmental units; commonality of powers.**

Notwithstanding the provisions of subdivision 1 requiring commonality of powers between parties to any agreement, the governing body of any governmental unit as defined in subdivision 1 may enter into agreements with any other governmental unit to perform on behalf of that unit any service or function which the governmental unit providing the service or function is authorized to provide for itself. A joint powers agreement in which one governmental unit performs a service or function for another governmental unit under this subdivision may not contain a provision that circumvents or impinges upon the rights of employees of the governmental unit, nor the terms and conditions of their employment, if they are covered by a collective bargaining agreement and represented by an exclusive representative as certified by the Bureau of Mediation Services.